Supreme Court, U.S.
FILED
APR 1 1986
JOSEPH F. SPANIOL, JR.
CLERK

No. 85-637

(5)

In the Supreme Court of the United States

OCTOBER TERM, 1985

DONALD P. HODEL, SECRETARY OF THE INTERIOR,
APPELLANT

v.

MARY IRVING, ET AL.

ON APPEAL FROM THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

JOINT APPENDIX

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JURISDICTIONAL STATEMENT FILED OCTOBER 15, 1985
PROBABLE JURISDICTION NOTED JANUARY 13, 1986

43pp

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* The opinions of the district court and the court of appeals are printed in the appendices to the jurisdictional statement and have not been reproduced.

DATE	NR	PROCEEDINGS
1984		
Jan. 30	(2)	APPEARANCE for appellant.
" "	(3)	APPEARANCE for appellee.
Feb. 21	(4)	APPEARANCE for appellee. (William Clark)
Feb. 27	(5)	*BRIEF APPELLANT* w/ser 2/24 8 copies cmm
Feb. 27	(6)	MOTION of Oglala Sioux Tribe to file amicus curiae brief cm
" "	(7)	MOTION for ext. of time to file amicus brief cm
Feb. 29	(8)	ORDER: Motion of Oglala Sioux Tribe for leave to participate in the above matter as amicus has been filed. Parties are notified that absent the filing of a formal objection to the motion within 10 days such objection will be considered waived and the motion will be deemed granted. An appropriate briefing schedule will thereafter be established
Mar 14		REVISED BRIEFING SCHEDULE: Brf Amicus (Oglala Sioux) 4/3/84 Brf Aplee: 5/3/84
Mar 12	(9)	MTN APPELLANT for ext of time to file reply brf—GRANTED—to April 12, 1984 on Mar 16, 1984. vmk
Apr. 9	(10)	*BRIEF AMICUS CURIAE* (oglala Sioux) w/ser 4/2 7 copies cm
Apr. 25	(11)	Motion xtn. time to file federal appellees br. . . . MOTION granted to all federal appellees, to May 24, 1984 w
May 25	(12)	*BRIEF APPELLEE* w/ser 5/24, 7 copies

DATE	NR	PROCEEDINGS
1984		
May 25		To Screening 20 MIN
June 4	(13)	MOTION xtn. time to file reply br. aplnt. Motion granted to June 21 w
June 25	(14)	*REPLY BRIEF* w/ser 6/21 8 copies (covers) cm
Sep 18		Transferred to October session at St. P.
2/1/84		3 copies D.R.
2/27/84		3 copies Exhibits (supp. to D.R.-part of complaint)
Oct 8		ARGUED AND SUBMITTED TO JUDGES HEANEY, HENLEY AND JOHN R. GIBSON IN ST. PAUL, MN. Yvette Hall War Bonnet for aplnt; Blake A. Watson D.J., for aplee; Ms. Bonnet on rebuttal (RECORDED)
1985		
Mar. 29	(15)	OPINION BY JOHN R. GIBSON PUBLISHED 758 F.2d 1260 85
Mar. 28	(16)	JUDGMENT: Judgment of Dist. Ct. reversed & cause remanded to Dist. Ct. w/ directions in accordance w/opinion.
Apr. 10	(17)	MOTION appellees for extension of time to file petition for rehearing w/service.
Apr. 23	(18)	ORDER: Motion of the appellees for an extension of time to and May 13, 1985 to file petition for rehearing is granted.
May 13	(19)	PETITION APPELLEES FOR REHEARING WITH SUGGESTION OF EN BANC CONSIDERATION. w/service.

DATE	NR	PROCEEDINGS
1985		
June 6	(20)	ORDER: Appellees' petition for rehearing en banc has been considered by the Court and is denied. Petition for rehearing by the panel is denied.
June 13		MANDATE ISSUED (eh)
June 21	(21)	RECEIPT FOR MANDATE.
July 2	(22)	NOTICE OF APPEAL to the Supreme Court of the United States.
Sept. 4		NOTIFICATION that extension of time was granted in which to file petition for writ of certiorari to October 15, 1985.
Oct. 22	(23)	NOTICE OF FILING of petition for writ of certiorari to Supreme Ct. as Case No. 85-637, dated October 15, 1985.
1986		
Jan. 17	(24)	CERTIFIED COPY OF ORDER of Supreme Court noting probable jurisdiction in Case No. 85-637, dated January 13, 1986.

A true copy

ATTEST:

/s/ Michael E. [Illegible]
Chief Deputy Clerk
United States Court of Appeals
Eighth Circuit

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

No. 83-5139

MARY IRVING, PATRICK PUMPKIN SEED, EILEEN BISSONETTE AS GUARDIAN FOR DUANE CROSS, MIGUEL CROSS, HOPE CROSS, ANTHONY CROSS, FAITH CROSS, AND ALL OTHERS SIMILARLY SITUATED, PLAINTIFFS

v.

JAMES WATT, SECRETARY, DEPARTMENT OF INTERIOR AND HIS AGENTS, ASSIGNS, AND SUCCESSORS IN OFFICE, DEFENDANT

RELEVANT DOCKET ENTRIES

DATE	NR	PROCEEDINGS
1983		
Oct. 20	1	CIVIL Cover Sheet
Oct. 20	2	COMPLAINT w/o Demand for Jury Trial (*EXHIBITS IN EXPANDO*)
Oct. 20		Issuing 60-Day SUMMONS fur. 5 copies to Atty. Richards for Service
Oct. 20	3	MOTION of Plff. for Order to Show Cause for Preliminary Injunction
Oct. 20	4	MEMORANDUM of Law in Support of a Preliminary Injunction.
Oct. 20	5	MOTION of Plffs. for Certification as a Class Action

DATE	NR	PROCEEDINGS
1983		
Oct. 20	6	MEMORANDUM in Support of Motion for Certification as a Class Action
Oct. 26	7	ORDER that Dfdts. Respond to Plffs. Motions by 11-10-83
Oct. 26		Notice of entry & copy of Order mailed Bette Bunker Richards & del. U.S. Atty., RC
Nov. 9	8	MOTION of Govt. Re: Extension of Time to Respond & Continuing Hrg. Date
Nov. 10	9	ORDER Granting Govt. Motion for Extension of Time Until 11-14-83 and Continuing Hearing until 11-17-83 @ 10 AM
Nov. 10		Notice of entry & copy of Order mailed Bette Richards & del. U.S. Atty., RC
Nov. 10		Telephonic Notice made to Bette Richards @ 11:00 A.M.
Nov. 14	10	OPPOSITION of Dfdt. to Plffs.' Motion for Certification as a Class Action
Nov. 14	11	MEMORANDUM of Law in Opposition to Plffs.' Motion for Preliminary Injunction
Nov. 14	12	CERTIFICATE of Service
Nov. 17		Enter Proceedings on Plffs. MOTION FOR ORDER TO SHOW CAUS FOR PRELIMINARY INJUNCTION & CERTIFICATION AS CLASS ACTION before the Hon. Andrew W. Bogue, Chief Judge, Presiding
Nov. 17		Enter ORDER combining hearing for temporary & permanent preliminary injunction
Nov. 17		Enter ORDER Reserving Ruling on Motion for Certification as a Class Action

DATE	NR	PROCEEDINGS
1983		
Nov. 17		Enter ORDER Restraining Dfdt. from Proceeding Under Escheat Provision of Indian Land Consolidation Act w/Regard to Plffs. in this Action
Nov. 17		Enter ORDER that Dfdt. is not Restrained from Continuing w/Probate Proceedings Regarding Plffs. Concerning Interests in Land Unrelated to Escheat Provision
Nov. 17	13	EXHIBIT List
Nov. 17	14	ORDER that Trial of Action on Merits be Consolidated w/Hearing on Application for Preliminary Injunction; *Granting* Plffs. Motion to Amend Certification Motion; *Reserving Ruling* on Plffs. Motion for Certification as Class Action; *Restraining* Dfdts. from Proceeding Under Escheat Provision of Indian Land Consolidation Act w/regard to Plffs. in this Action; & *Setting* Briefing Schedule
Nov. 17		Notice of entry & copy of Order mailed Bette Bunker Richards & del. U.S. Atty., RC
Nov. 17		Correct copy entered 1983 WDOB page 207
Nov. 28	15	MEMORANDUM of Authority Re: Constitutionality of Plff.
Dec. 5	16	SUPPLEMENTAL Memorandum in Opposition to Motion for Preliminary Injunction of Govt.
Dec. 12	17	RULE 16(b) Scheduling Request
Dec. 12		Mailing Ruled 16(b) Scheduling Request B. Richards Delivered US Atty., RC
Dec. 12	17A	REPLY to Supplemental Memorandum

DATE	NR	PROCEEDINGS
1983		
Dec. 15	18	MEMORANDUM OPINION Denying Motion for Permanent Injunction & Motion for Class Action
Dec. 15		Notice of entry & copy of Order mailed Bette Bunker Richards & del. U.S. Atty., RC
Dec. 15		Correct copy entered 1983 WDOB page 223
Dec. 15	19	ORDER finding 25:2206 is Constitutuion; Denying Plff. Motion for Permanent Injunction & Plff. Motion for Class Action
Dec. 15		Notice of entry & copy of Order mailed Bette Richards & del. U.S. Atty., RC
Dec. 15		Correct copy entered 1983 WDOB page 224
1984		
Jan. 11	20	NOTICE OF APPEAL by Plffs.
Jan. 11		C copy of Notice of Appeal mailed Bette Bunker Richards and del. U.S. Atty.'s Office, RC
Jan. 11		C copy del. T. Daniel Thompson, Court Reporter, Rm. 330, 515 9th Street, Rapid City, SD 57701 605-348-8610
Jan. 11		Mailing Record on Appeal to Robert St. Vrain, Clerk, U.S. Court of Appeals for the Eighth Circuit, St. Louis, MO 63101
Jan. 11		Mailing copy of Record on Appeal to David Maland, U.S. Court of Appeals, 525 Fed. Court Bldg., 316 North Roberts St., St. Paul, MN 55101
Jan. 11		Certificate of Mailing by Plff.
Jan. 19	21	DESIGNATION Of Record by Appellants

DATE	NR	PROCEEDINGS
1984		
Jan. 19	22	NOTICE Regarding Transcript by Appellant
Jan. 19		Certified copy of Notice del. T. Daniel Thompson, Court Reporter
Jan. 25	23	NOTICE Regarding Transcript by Appellee
Jan. 25		Certified copy of Notice del. T. Daniel Thompson, Court Reporter
Jan. 25	24	DESIGNATION Of Record on Appeal by Appellee
Jan. 30		Mailing Designated Record on Appeal to Robert D. St. Vrain, Clerk, U.S. Court of Appeals for the Eighth Circuit, 1114 Market St., Rm. 511, U.S. Customs & Court House, St. Louis, MO 63101; and David Maland
1985		
June 17	25	MANDATE Of US Court of Appeals remanding to District Court
June 17		C. copy mailed Bette Bunker Richards & del. US Atty., RC
June 17		OPINION of US Court of Appeals
June 17		C. copy mailed Bette Bunker Richards & del. U.S. Atty., RC

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

MARY IRVING, PATRICK PUMPKIN SEED, EILEEN BISSONETTE AS GUARDIAN FOR DUANE CROSS, MIGUEL CROSS, HOPE CROSS, ANTHONY CROSS, FAITH CROSS, AND ALL OTHERS SIMILARLY SITUATED, PLAINTIFFS

—vs—

JAMES WATT, SECRETARY, DEPARTMENT OF INTERIOR, AND HIS AGENTS, ASSIGNS, AND SUCCESSORS IN OFFICE, DEFENDANT

COMPLAINT

I. PRELIMINARY STATEMENT

1. This is an action for declaratory and injunctive relief arising out of Defendant's wrongful taking of Plaintiffs' land without compensation pursuant to the Indian Land Consolidation Act (Title II of P.L. 97-459; 96 Stat. 2515) Section 207. The Plaintiffs seek to have this Court declare that Section 207 of the Indian Land Consolidation Act is an unconstitutional taking of the land in violation of the Fifth Amendment of the U.S. Constitution.

The Plaintiffs also seek injunctive relief from said Section 207 of P.L. 97-459 preventing Defendant and his Agents from acting under said Act to escheat any land to the Indian Tribes.

II. JURISDICTION

2. Jurisdiction is conferred upon this Court by 28 USC 1331 which confers original jurisdiction upon the District Courts of all civil actions arising under the Constitution and laws of the United States.

3. Plaintiffs' action for declaratory relief is authorized by Rule 57 of the Federal Rules of Civil Procedure and by 28 USC § 2201 and § 2202. Plaintiffs' action for temporary injunctive relief is authorized by Rule 65 of the Federal Rules of Civil Procedure.

III. PLAINTIFFS

4. The named Plaintiff Mary Irving is an enrolled member of the Oglala Sioux Tribe and resides on the Pine Ridge Indian Reservation in South Dakota. Plaintiff is the daughter and potential heir of Chester Irving who died on March 18, 1983. Chester Irving died possessed of two (2) parcels of land subject to Section 207 of P.L. 97-459.

5. The named Plaintiff Patrick Pumpkin Seed is an enrolled member of the Oglala Sioux Tribe and resides on the Pine Ridge Indian Reservation in South Dakota. Plaintiff is the son and potential heir of Charles Leroy Pumpkin Seed who died on April 4, 1983. Charles Leroy Pumpkin Seed died possessed of eight (8) parcels of land subject to Section 207 of P.L. 97-459. Plaintiff is the nephew and potential heir of Edgar Pumpkin Seed who died June 23, 1983. Edgar Pumpkin Seed died possessed of five (5) parcels of land subject to Section 207 of P.L. 97-459.

6. The named Plaintiff Elaine Bissonette is an enrolled member of the Oglala Sioux Tribe and resides in Downey, California. Plaintiff is legal guardian of the minor children of the late Geraldine Poor Bear Cross, namely Duane Cross, Miguel Cross, Hope Cross, Anthony Cross and Faith Cross. Geraldine Poor Bear Cross died possessed of seventeen (17) parcels of land subject to Section 207 of P.L. 97-459.

7. The Plaintiffs bring this action pursuant to Federal Rule 23 of Civil Procedure, 28 U.S.C.A. authorizing class actions. The class consists of all heirs and potential heirs of persons dying possessed of lands subject to escheat to the Tribe(s) pursuant to Section 207 of P.L. 97-459.

The class is so numerous that the joinder of all members is impracticable. There are questions of law and fact common to the class. The claims of the representative parties are typical of the claims of the class. The representative parties will fairly and adequately protect the interests of the class. Moreover, the Defendant has acted or will act on grounds generally applicable to the class, making final injunctive and declaratory relief appropriate with respect to the class as a whole.

IV. THE DEFENDANT

8. James Watt is the Secretary of the Department of the Interior and has the ultimate responsibility for the operations of the Bureau of Indian Affairs including the probate of lands held in trust by the United States for the benefit of Indians.

V. ALLEGATIONS OF FACT

9. On January 12, 1983, Congress implemented Section 207 of P.L. 97-459, the Indian Land Consolidation Act. This Act provides that all persons who died possessed of undivided fractional interests in any tract of trust or restricted land within a Tribe's jurisdiction will escheat to the Tribe if that interest represents 2 per centum or less of the total acreage in such tract and has earned less than $100 in the proceeding year.

10. On March 18, 1983, Chester Irving, Plaintiff Mary Irving's father, died possessed of land subject to escheat under Section 207 of P.L. 97-459. See Data for Heirship attached as Exhibit "A" and incorporated herein by reference. Plaintiff Mary Irving is named as a potential heir on page 7 of said Exhibit "A" and will become an actual heir absent the discovery of a Will or contrary evidence regarding her relationship to deceased at the probate hearing. Plaintiff has an interest in parcel OS-72 Mary Janis allotment which she shares with six other potential heirs. The amount of land contained in this parcel to which she has an interest is

.0052083 of 160 acres which amounts to .9 of an acre more or less. The estimated value is $50.00. The income for preceding year was $5.35. This parcel is more than adequate to build homes on for all potential heirs.

11. Plaintiff Mary Irving has a potential 1/7 interest in parcel OS-6540 Millie B. Tobacco allotment amounting to 1/320 of 320 acres which is 1 acre and sufficient to build several homes on. The estimated value is $60.00. The income for preceding year was $2.00.

12. On March 23, 1983, the mother of Daune Cross, Miguel Cross, Hope Cross, Anthony Cross and Faith Cross died. On July 12, 1983, Elaine Bissonette was appointed legal guardian of the above named minor children by the Oglala Sioux Tribal Court. See Exhibit "B" attached and incorporated herein by reference. A Data for Heirship was prepared by the Bureau of Indian Affairs indicating above named minor children are potential heirs of the deceased Geraldine Poor Bear Cross. See Exhibit "C" attached and incorporated herein by reference. On March 16, 1983, decedent executed a Last Will and Testment leaving all her worldly goods to said minor children share and share alike. See Exhibit "D" attached and incorporated herein by reference.

13. Plaintiff decedent Geraldine Poor Bear Cross died possessed of fifteen parcels of land subject to escheat pursuant to Section 207 of P.L. 97-459. Nine parcels have an aggregate estimated value of $1,192.91. Income for preceding year totaled $100.56. See pages 10-11, Exhibit "C". Six parcels contain mineral rights only. No appraisal has been made as to the value of the mineral rights and no income was received for the preceding year. See pages 11-13 Exhibit "C".

14. On June 14, 1983, Edgar Pumpkin Seed, the Uncle of Plaintiff Patrick Pumpkin Seed, died. See Exhibit "E" attached and incorporated herein by reference. Plaintiff is named as a potential heir. See page 8, Exhibit "E". Decedent died possessed of five parcels of land subject to escheat pursuant to Section 207 of P.L.

97-459. The total estimated value of said land is $3,292.12. The total income for the preceding year was $54.98. One particular parcel namely OS-7208, Helen Eagle Shield allotment, is valued at $2,212. Decedent had a 1/6 interest in 165.90 acres or 27.65 acres, more or less. If divided by all 13 potential heirs each heir would receive 2.15 acres, more or less, which is more than adequate to build a home on.

15. Plaintiff Patrick Pumpkin Seed's father died on April 3, 1983. At the time of his death, Charles Leroy Pumpkin Seed possessed eight parcels of land subject to escheat under Section 207 of P.L. 97-459. See Data on Heirship prepared by the Bureau of Indian Affairs marked Exhibit "F" attached and incorporated herein by reference. Plaintiff is named as a potential heir to these lands. See page 8 of Exhibit "F". The total income for preceding year is $23.28. Decedent possessed a 1/64 interest in two parcels containing 160 acres. This amounts to 2.5 acres in each parcel. Decedent left only two potential heirs. Each heir would receive over an acre in those two parcels. See OS-768 Asa Pumpkin Seed allotment, page 12 of Exhibit "F". See OS-7676 Bessie Emily Pumpkin Seed allotment, page 13 of Exhibit "F". Decedent also had a 1/72 interest in 320 acres amounting to 4.52 acres more or less. Each heir would receive over 2 acres in these two parcels. See OS-168 David Shot allotment, page 13 of Exhibit "F".

16. The Indian Land Consolidation Act, P.L. 97-459, does not provide any compensation for the lands which will escheat to the Tribe pursuant to Section 207 of that Act.

17. Many of the parcels of land subject to escheat are sufficiently large that when divided by all potential heirs, Plaintiffs would retain a suitable building site.

18. The Defendant has a duty to protect the interests of the Plaintiffs' in the use of their land.

19. The Defendant has promulgated regulations at 25 CFR § 152.18 forbidding the sale in South Dakota, Okla-

homa and Minnesota of any trust land in which any minor has an interest and requiring the consent of the guardian in all other States.

20. The Defendant has promulgated regulations at 25 CFR § 152.22(b) allowing the conveyance of any lands held in trust by the United States for an Indian Tribe only where specific statutory authority exists and only then with the approval of the Defendant, thereby precluding the possibility that the Tribe(s) might reconvey the land to the individual Indians once it has been transferred to Tribal ownership.

VI. FIRST CLAIM FOR RELIEF

The Defendant has a duty to protect the interests of individual Indians in their trust lands. Implementation of this Act deprives Indians of their interests in land without compensation and for no public purpose in violation of Plaintiffs' right under the Fifth Amendment to the U.S. Constitution. Defendant in the implementation of the Act must violate previous policies and regulations which were promulgated to protect Plaintiffs and others so situated.

VII. IRREPARABLE INJURY

If Defendant is not enjoined immediately from acting upon Section 207 of P.L. 97-459, the Plaintiffs and the class they seek to represent will suffer immediate and irreparable injury in that their income will be diminished, their capability of using their land for a homesite will be lost or diminished, and their potential of realizing future income from unlocated minerals will be lost.

Probates have been scheduled on Plaintiffs' decedants Estates and others effected by P.L. 97-459, Section 207 beginning October 24, 1983. An immediate temporary injunction is needed to prevent irreparable harm to Plaintiffs. See Exhibit "G" attached and incorporated herein by reference.

VIII. INADEQUATE REMEDY AT LAW

Plaintiffs have no adequate or complete remedy at law to redress the suffering herein. The implementation of the Act is automatic and does not provide for any procedure for hearing, protest or appeal.

IX. PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully pray that this Honorable Court:

1. Assume jurisdiction of this cause and set this case down promptly for hearing.
2. Determine, pursuant to Federal Rule 23 of Civil Procedure, 28 U.S.C.A. that this action be maintained as a class action.
3. Pending a hearing on the merits, enter a preliminary injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining the Defendant and his successors, assigns, and agents from enforcing Section 207 of P.L. 97-459 escheating to the Tribes designated land in which Plaintiffs have an interest.
4. Enter a permanent injunction, pursuant to Rule 57 of the Federal Rules of Civil Procdure, enjoining the Defendant his successors, agents and assigns from escheating to the Tribe(s) the land of decedents of Plaintiffs and the class they seek to represent pursuant to Section 207 of P.L. 97-459.
5. Declare Section 207 of P.L. 97-459 unconstitutional and that said Section has no legal affect.
6. Grant Plaintiffs the costs of this suit and Attorney's fees.
7. Grant Plaintiffs such additional relief as equity deems necessary.

DATED: 10-20-83

Respectfully submitted,

/s/ Bette Bunker Richards
BETTE BUNKER RICHARDS
Attorney for Plaintiffs
DAKOTA PLAINS LEGAL SERVICES
PO Box 564
Batesland, South Dakota 57716
605-288-1890

EXCERPTS FROM EXHIBIT A TO PLAINTIFFS' COMPLAINT

INVENTORY OF INDIAN TRUST LANDS OF CHESTER IRVING, OS 8205

According to the records of the Pine Ridge Agency, Pine Ridge, South Dakota, CHESTER IRVING, at the time of his death on March 18, 1983, was possessed of the following interests in trust or restricted property on the Pine Ridge Reservation.

PART I

Property *not* subject to provisions of Public Law 97-459

INHERITED INTERESTS:

Allotment		Description	Share & Decimal Equivalency	Est. Value	Income for Preceding Year
OS-68		NE¼ of Sec 33, Twp 36N., Rng-45W., 6th PM.,			
Noah Janis		Shannon County, SD., containing 160 acres M/L.			
120-58		Estimated value: $9,600.00			
	THRU:	Martha Janis, OS-63 (25348-44)	2/27		
		Eugene Irving, OSU-9747 (N-16-65)	1/108		
		AGGREGATING	9/108 or .8333333	$800.00	$177.04
OS-71		SE¼ of Sec 34, Twp-36N., Rng-43W., 6th PM.,			
Antoine Janis		Shannon County, SD., containing 160 acres M/L.			
N-41-67		Estimated value: $9,600.00			
	THRU:	Direct	1/48 or .02083333	$200.00	$ 22.39

OS-2853 Adam Tobacco 11633-28		NE¼ of Sec 34, Twp-38N., Rng-46W., 6th PM., Shannon County, SD., containing 160 acres M/L. Estimated value: $9,600.00			
	THRU:	Ellen Irving-Tobacco, OS-17 (25382-44) Eugene Irving, OSU-9747 (N-16-65) AGGREGATING	1/40 1/320 9/320 or .0281250	$270.00	$ [blank]
OST-7632 Noah Shaving Bear		S½N½ of Sec 22, Twp-36N., Rng-45W., 6th PM. Shannon County, SD., containing 160 acres M/L. Estimated value: $9,600.00			
	THRU:	Susie White Crow Irving (N-55-69)	1/3 or .3333333	$3,200.00	$ 0.00
OST Unallotted		SE¼NE¼ of Sec 14, Twp-35N., Rng-37W., 6th PM. Bennett County, SD., containing 40 acres M/L. Estimated value: $3,200.00			
	THRU:	Susie White Crow-Irving OS-5825 (N-55-69)	1/3 or .3333333	$1,066.67	$ 0.00
OST Unallotted		W½SE¼ of Sec 3, Twp-35N., Rng-36W., 6th PM. Bennett County, SD., containing 80 acres M/L. Estimated value: $6,400.00			
	THRU:	Susie White Crow-Irving, OS-5825 (N-55-69)	1/3 or .3333333	$2,133.33	$ 0.00

PART II

Property *subject* to provisions of Public Law 97-459

Allotment		Description	Share & Decimal Equivalency	Est. Value	Income for Preceding Year
OS-72 Mary Janis 1370-19		SW¼ of Sec 34, Twp-36N., Rng-43W., 6th PM., Shannon county, SD., containing 160 acres M/L. Estimated value: $9,600.00			
	THRU:	Martha Janis, OS-63 (25384-44)	1/810		
		Eugene Irving, OSU-9747 (N-16-65)	1/6840		
		Antoine Janis, OS-71 (N-41-67)	11/2880		
		AGGREGATING	1/192 or .0052083	$50.00	$ 5.35
OS-6540 Millie B. Tobacco		SE¼ of Sec 25, & NE¼ of Sec 36, Twp-37n., Rng-45W., 6th PM., Shannon county, SD., containing 320 acres M/L. Estimated value: $19,200.00			
	THRU:	Ellen Irving-tobacco, OS-17 (25382-44)	1/360		
		Eugene Irving, OSU-9747 (N-16-65)	1/2880		
		AGGREGATING	1/320	$60.00	$ 2.00
		TOTAL ESTIMATED VALUE OF THIS ESTATE		$7,780.00	$206.78

CERTIFICATION

I certify that the foregoing is an accurate inventory, according to the records of the Pine Ridge Agency of the trust or restricted property or interests therein, owned by CHESTER IRVING at the time of death. The value shown in this inventory is an estimate and it does not necessarily represent the present market value of the property. Further investigations should be made before entering into any negotiations involving this property.

Done this 17th day of August, 1983, at Pine Ridge, South Dakota

_____

Realty Officer

EXCERPTS FROM EXHIBIT C TO PLAINTIFFS' COMPLAINT

INVENTORY OF INDIAN TRUST LANDS OF
Geraldine Mary Poor Bear-Little Hoop-Cross
OSU-16290

According to the records of the Pine Ridge Agency, Pine Ridge, South Dakota, Geraldine Mary Poor Bear-Little Hoop-Cross at the time of death on 3-23-83, was possessed of the following interests in trust or restricted property on the Pine Ridge Reservation.

PART I

Property *not* subject to provisions of Public Law 97-459

INHERITED INTERESTS:

Allotment	Description	Share & Decimal Equivalency	Est. Value	Income for Preceding Year
OS-5547 Levi Plenty Bear 106122-15 THRU:	Lots 7, 8 W½NW¼ of Sec 33, Twp-40N., Rng-33W., 6th PM., Jackson county, SD. containing 144.28 acres M/L. Estimated value: $11,542.40 Harvey Raymond Little Hoop, OSU-16036 (L-162-61)	.2/45 or .0444444	$513.00	$13.21

PART II

Property *subject* to provisions of Public Law 97-459

INHERITED INTERESTS: Allotment	Description	Share & Decimal Equivalency	Est. Value	Income for Preceding Year
OS-1242 Looks At White Cow 7673-18 THRU:	W½ of Sec 10, Twp-35N., Rng-45W., 6th PM. Shannon County, SD., containing 320 acres M/L. Estimated value: $19,200.00 Harvey Raymon Little Hoop, OSU-16036 (L-162-61)	1/720 or .00138888	$ 26.66	$ 0.68
OS-4542 Charles Little Hoop 4826-35 THRU:	NE¼ & SW¼ of Sec 8, Twp-37N., Rng-37W., 6th PM. Bennett County, SD., containing 320 acres M/L. Estimated value: $25,600.00 Harvey Little Hoop, OSU-16036 (L-162-61)	1/90 or .0111111	$284.44	$31.80
OS-4717 Bella Her Many Horses 92582-20 THRU:	Lots 1, 2, 3, 4, & SE¼ of Sec 1, Twp-36N., Rng-35W., & Lot 1 of Sec 6, Twp-36N., Rng-34W., 6th PM., Bennett County, SD., containing 308.02 acres M/L. Estimated value: $24,641.60 Harvey Little Hoop, OSU-16036 (L-162-61)	1/1440 or .00069444	$ 17.11	$ 0.84
OS-4999 Brown Wolf 32510-28 THRU:	SE¼ of Sec 5, Twp-39N, Rng-36W., 6th PM. Bennett county, SD., containing 160 acres M/L. Estimated value: $12,800.00 Harvey Little Hoop, OSU-16036 (L-162-61)	7/2250 or .0031111	$39.82	$ 0.90

OS-5161 White Horse Owner 21772-16	THRU:	NW¼ of Sec 21, Twp-38N., Rng-38W., 6th PM., Bennett county, CD., containing 160 acres M/L. Estimated value: $12,800.00 Harvey Little Hoop, OSU-16036 (L-162-61)	1/60 or .0166666	$213.33	$ 3.90
OS-5300 Holy In Center 61900-29	THRU:	N½ of Sec 11, Twp-38N., Rng-39W., 6th PM., Bennett county, SD, containing 320 acres M/L. Estimated value: $25,600.00 Harvey Little Hoop, OSU-16036 (L-162-61)	1/90 or .0111111	$284.44	$ 6.12
OS-5307 Makes Things Good 72404-17	THRU:	SW¼ & S½SE¼ of Sec 1 & NE¼NW¼; E½NW¼NW¼; E½SE¼NW¼ of Sec 12, Twp-38N., Rng-40W. 6th PM. Bennett county, SD. containing 320 acres M/L. Estimated value: $25,600.00 Harvey Little Hoop, OSU-16036 (L-162-61)	1/360 or .0027777	$71.11	$ 2.02
OS-5413 Takes Pity On Them 79455-17	THRU:	E½W½NW¼ of Sec 34; E½SE¼NE¼ of Sec 30; NW¼SW¼; W½NW¼; NE¼NW¼; N½SE¼NW¼; N½SW¼NE¼ of Sec 29; SW¼SW¼; W½SE¼SW¼ of Sec 20, Twp-39N., Rng-40W., 6th PM. Bennett county, SD. containing 320 acres M/L. Estimated value: $25,600.00 Harvey Little Hoop, OSU-16036 (L-162-61)	1/225 or .0044444	$113.78	$51.10

Allotment		Description	Share & Decimal Equivalency	Est. Value	Income for Preceding Year
OS-5523 Joseph Little Hoop 18375-33	THRU:	SE¼ of Sec 34, Twp-40N., Rng-34W., 6th PM. Jackson county, SD., containing 160 acres M/L. Estimated value: $12,800.00 Harvey Little Hoop, OSU-16036 (L-162-61)	1/90 or .0111111	$142.22	$ 3.20
OS-1044 Sage 60553-15	THRU:	NE¼ & E½NW¼ of Sec 21, Twp-37N., Rng-40W., 6th PM. Shannon county, SD., containing 240 acres M/L. Estimated Value: None 100% MINERALS ONLY Harvey Little Hoop, OSU-16036 (L-162-61)	17/1831 or .0092845	$0.00	$0.00
OS-1325 Spotted Crow 67140-14	THRU:	N½ of Sec 25, Twp-39N., Rng-41W., 6th PM. Shannon county, SD., containing 320 acres M/L. Estimated value: NONE 100% MINERALS ONLY Harvey Little Hoop, OSU 16036- (L-162-61)	1/270 or .0037037	$0.00	$0.00
OS-1444 Cut Foot 74856-21	THRU:	SW¼NW¼ of Sec 21, Twp-37N., Rng-40W., 6th PM. Bennett county, SD., containing 40 acres M/L. Estimated value: NONE 100% MINERALS ONLY Harvey Little Hoop, OSU-16036 (L-162-61)	17/1831 or .0092845	$0.00	$0.00

OS-4247	SW¼ of Sec 1, Twp-40N., Rng-35W., 6th PM.			
Henry Richard	Jackson county, SD., containing 160 acres M/L.			
	Estimated value: NONE 100% MINERALS ONLY			
THRU:	Harvey Little Hoop, OSU-16036 (L-162-61)	17/1831 or .0092845	$0.00	$0.00
OS-4578	S½ of Sec 27, Twp-37N., Rng-37W., 6th PM.			
Kills Enemy	Bennett county, SD., containing 320 acres M/L.			
57470-21	Estimated value: NONE 100% MINERALS ONLY			
THRU:	Harvey Little Hoop, OSU-16036 (162-61)	1/360 or .0027777	$0.00	$0.00
OS-1191	SW¼NE¼ of Sec 11, Twp-37N., Rng-40W., 6th PM.			
James	Bennett county, SD., containing 40 acres M/L.			
Yellow Horse	Estimated value: NONE 100% MINERALS ONLY			
51513-34 THRU:	Harvey Little Hoop, OSU-16036 (L-162-61)	17/1831 or .0092845	$0.00	$0.00
	TOTAL ESTIMATED VALUE OF THIS ESTATE		$1,705.91	

CERTIFICATION

I certify that the foregoing is an accurate inventory, according to the records of the Pine Ridge Agency of the trust or restricted property or interests therein, owned by Geraldine Mary PoorBear-Cross OSU-16290 at the time of death. The value shown in this inventory may be an estimate and it does not necessarily represent the present market value of the property. Further investigations should be made before entering into any negotiations involving this property.

Done this 19th day of August, 1983, at Pine Ridge, South Dakota.

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Realty Officer

INVENTORY OF INDIAN TRUST LANDS OF GERALDINE MARY POOR BEAR/CROSS/KILLS CROW INDIAN OGLALA SIOUX UNALLOTTED 16290

According to the records of the Rosebud Agency, Rosebud, South Dakota, GERALDINE MARY POOR BEAR/CROSS/KILLS CROW INDIAN, at the time of her death on March 23, 1983, was possessed of the following interests in trust or restricted property on the Rosebud Reservation.

INHERITED INTERESTS:

Allotment	Description	Share & Decimal Equivalency	Est. Value	Income for Preceding Year
RS-728 Etta Eagle Dog 58615-19	NW¼, Sec. 9, T.41N., R.29W., 6th P.M., South Dakota, containing 160.00 acres, more or less. Estimated value: $22,400.00			
THRU Supra.	Raymond H. Little Hoop, OSU-16036 (L-162-61)	1/540 or 0.0018518518	$ 41.48	$ .89
RS-855 Pipe 78916-19 25403-21	SE¼, Sec. 33, T.43N., R.26W., 6th P.M., South Dakota, containing 160.00 acres, more or less. Estimated value: $22,400.00			
Supra.		2/175 or 0.0114285714	$ 256.00	$ 7.97
RS-856 Good Road or Foggy 78917-19 25404-21	SE¼, Sec. 22 & SW¼, Sec. 33, All in T.43N., R.26W., 6th P.M., South Dakota, containing 320.00 acres, more or less. Estimated value: $44,800.00			
Supra.		1/75 or 0.0133333333	$ 597.33	$ 6.41

RS-896 Mary Red Eyes 7096-16	NE¼, Sec. 22, T.39N., R.30W., 6th P.M., South Dakota, containing 160.00 acres, more or less. Estimated value: $22,400.00				
Supra.		1/405 or 0.0024691358	$ 55.31	$ .83	
RS-1546½ Jennie Knife 108823-19	NE¼, Sec. 28, T.41N., R.29W., 6th P.M., South Dakota, containing 160.00 acres, more or less. Estimated value: $22,400.00				
Supra.		2/405 or 0.0049382716	$ 110.62	$ 5.98	
RS-1556 Louis Bear Heels 58614-18	NE¼, Sec. 16, T.42N., R.30W., 6th P.M., South Dakota, containing 160.00 acres, more or less. Estimated value: $22,400.00				
Supra.		1/270 or 0.0037037037	$ 82.96	$ 1.77	
RS-1999 Black Bull 108548-15 86994-16	SW¼, Sec. 5, T.39N., R.29W., 6th P.M., South Dakota, containing 160.00 acres, more or less. Estimated value: $22,400.00				
Supra.		7/10935 or 0.0006401463	$ 14.34	$ .25	
RS-2005½ Holy Door Julia Knife 28374-29	Lots 6, 7, E½SW¼, Sec. 6, T.40N., R.30W., 6th P.M. South Dakota, containing 152.98 acres, more or less. Estimated value: $21,417.20				
Supra.		1/270 or 0.0037037037	$ 79.32	$ 2.15	
RS-2545½ Lucy Yellow Bird 80033-20	S½, Sec. 26, T.44N., R.31W., 6th P.M., South Dakota, containing 320.00 acres, more or less. Estimated value: $44,800.00				
Supra.		2/405 or 0.0049383	$ 221.23	$ 7.31	

INHERITED INTERESTS:

Allotment	Description	Share & Decimal Equivalency	Est. Value	Income for Preceding Year
RS-4099 Yellow Hawk 83240-15 Supra.	Lots 1, 2 & S½NE¼, Sec. 3, T.42N., R.31W. & SW¼, Sec. 15, T.40N., R.29W., 6th P.M., South Dakota, containing 320.12 acres, more or less. Estimated value: $44,816.80	1/3645 or 0.0002743484	$ 12.30	$ .35
RS-4099½ Eagle Feather 36779-27 Supra.	S½, Sec. 10, T.40N., R.29W., 6th P.M., South Dakota, containing 320.00 acres, more or less. Estimated value: $44,800.00	1/1215 or 0.0008230452	$ 36.87	$ 1.18
	TOTAL ESTIMATED VALUE OF THIS ESTATE		$1,507.76	$35.09

CERTIFICATION

I CERTIFY that the foregoing is an accurate inventory, according to the records of the Rosebud Agency of the trust or restricted property or interests therein, owned by GERALDINE MARY POOR BEAR/CROSS/KILLS CROW INDIAN at the time of her death. The value shown in this inventory may be an estimate and it does not necessarily represent the present market value of the property. Further investigations should be made before entering into any negotiations involving this property.

Done this 12th day of April, 1983 at Rosebud, South Dakota.

/s/ Hubert C. McCloskey
HUBERT MCCLOSKEY
Realty Officer

EXCERPTS FROM EXHIBIT E TO PLAINTIFFS' COMPLAINT

INVENTORY OF INDIAN TRUST LANDS OF EDGAR PUMPKIN SEED, OSU-11081

PART I

According to the records of the Pine Ridge Indian Agency, Pine Ridge, South Dakota, EDGAR PUMPKIN SEED, OSU-11081, at the time of death on June 23, 1983, was possessed of the following trust property on the Pine Ridge Reservation.

INHERITED INTERESTS: Allotment	Description	Share & Decimal Equivalency	Est. Value	Income for Preceding Year
OS-670 Garter 149650-16	Lots 3, 4, E½SW¼, SE¼ Sec. 30, T-40N, R-42W., 6th P.M., Shannon County, South Dakota, containing 324.24 acres, more or less. Estimated Value: $19,454.40	1/36 or .0277777	$ 540.40	$ 13.37
THRU	Eagle Shield, OS-671 (16145-33) 1/54 John Pumpkin Seed, OS-682 (N-43-66) 1/108			
OS-671 Eagle Shield 16145-33	Lots 1, 2, W½NE¼, NW¼ Sec. 24, T-38N., R-43W., 6th P.M., Shannon County, South Dakota, containing 315.78 acres, more or less. Estimated Value: $18,946.80	1/12 or .0833333	$1,578.90	$ 53.57
THRU	Eagle Shield, OS-671 (16145-33) 1/18 John Pumpkin Seed, OS-682 (N-43-66) 1/36			
OS-675 Louisa Eagle Shield 81538-16	Lots 1, 2, E½NW¼ Sec. 18, T-38N., R-42W., 6th P.M., Shannon County, South Dakota, containing 176.10 acres, more or less. Estimated Value: $10,566.00	1/12 or .0833333	$ 880.50	$ 26.54

Allotment		Description	Share & Decimal Equivalency	Est. Value	Income for Preceding Year
	THRU	Eagle Shield, OS-671 (16145-33) 1/27 Helen Eagle Shield, OS-7208 (16144-33) 1/54 John Pumpkin Seed, OS-682 (N-43-66) 1/36			
OS-672 Lucy Eagle Shield 42912-14		N½ Sec. 17, T-38N., R-42W., 6th P.M., Shannon County, South Dakota, containing 320 acres, more or less. Estimated Value: $19,200.00	1/18 or .0555555	$1,066.67	$ 32.28
	THRU	Eagle Shield, OS-671 (16145-33) 1/18			
OS-673 Luke Eagle Shield 42911-14		NE¼ Sec. 18, T-38N., R-42W., 6th P.M., Shannon County, South Dakota, containing 160 acres more or less. Estimated Value: $9,600.00	1/12 or .0833333	$ 800.00	$ 24.14
	THRU	Eagle Shield, OS-671 (16145-33) 1/18 John Pumpkin Seed, OS-682 (N-43-66) 1/36			
OS-676-A Annie Eagle Shield 42910-14		Lot 4, E½SW¼ Sec. 18, T-38N., R-42W., 6th P.M., Shannon County, South Dakota, containing 127.57 acres, more or less. Estimated Value: $7,654.20	1/12 or .0833333	$ 637.85	$ 14.48
	THRU	Eagle Shield, OS-671 (16145-33) 1/18 John Pumpkin Seed, OS-682 (N-43-66) 1/36			

OS-676-B Annie Eagle Shield 42910-14	Lot 3, Sec. 18, T-38N., R-42W., 6th P.M., Shannon County, South Dakota, containing 47.77 acres, more or less. Estimated Value: $2,866.20	1/6 or .1666666	$ 477.70	$ 19.31
THRU	Helen Eagle Shield, OS-7208 (16144-33) 1/9 John Pumpkin Seed, OS-682 (N-43-66) 1/18			
OS-7207 Mary Eagle Shield 4877-28	W½ Sec. 34, T-43N., R-37W., 6th P.M., Jackson County, South Dakota, containing 320 acres, more or less. Estimated Value: $25,600.00	1/12 or .0833333	$2,133.33	$ 39.70
THRU	Eagle Shield, OS-671 (16145-33) 1/54 Helen Eagle Shield, OS-7208 (16144-33) 1/27 John Pumpkin Seed, OS-682 (N-43-66) 1/36			
	ESTIMATED VALUE		$8,115.35	$223.39

PART II

Property *subject* to provisions of Public Law 97-459

INHERITED INTERESTS:

Allotment		Description	Share & Decimal Equivalency	Est. Value	Income for Preceding Year
OS-678 Asa Pumpkin Seed 8247-55		SE¼ Sec. 35, T-40N., R-43W., 6th P.M., Shannon County, South Dakota, containing 160 acres, more or less. Estimated Value: $9,600.00	1/64 or .0156250	$ 150.00	$ 5.16
	THRU	John Pumpkin Seed, OS-682 (N-43-66) 1/64			
OS-1263 Mary Ice 52046-15		Lots 1, 2, 3, 4, S½NE¼, S½NW¼, Sec. 1, T-39N., R-41W., 6th P.M., Shannon County, South Dakota, containing 320.52 acres, more or less. Estimated Value: $19,231.20	1/256 or .0039062	$ 75.12	$ 2.28
	THRU	John Pumpkin Seed, OS-682 (N-43-66) 1/256			
OS-5749 Jennie Pumpkin Seed 82783-23		S½NE¼NE¼ Sec. 28, T-40N., R-42W., 6th P.M., Jackson County, South Dakota, containing 20 acres, more or less. Estimated Value: $1,600.00	1/64 or .0156250	$ 25.00	$ .76¢
	THRU	John Pumpkin Seed, OS-682 (N-43-66) 1/64			

OS-7208 Helen Eagle Shield 16144-33		Lot 1, SE¼NE¼, E½SE¼ Sec. 21 & Lot 2 Sec. 23, T-43N., R-37W., 6th P.M., Jackson County, South Dakota, containing 165.90 acres, more or less. Estimated Value: $13,272.00	1/6 or .1666666	$2,212.00	$ 42.28
	THRU	Helen Eagle Shield, OS-7208 (16144-33) 1/9 John Pumpkin Seed, OS-682 (N43-66) 1/18			
OS-7676 Bessie Emily Pumpkin Seed 119816-16		NW¼ Sec. 14, T-40N., R-43W., 6th P.M., Shannon County, South Dakota, containing 160 acres, more or less. Estimated Value: $9,600.00	1/64 or .0156250	$ 150.00	$ 4.50
	THRU	John Pumpkin Seed, OS-682 (N-43-66) 1/64			
		ESTIMATED VALUE		$3,292.12	$ 54.98
		TOTAL ESTIMATED VALUE OF THIS ESTATE		$11,407.47	$278.37

CERTIFICATION

I certify that the foregoing is an accurate inventory, according to the records of the Pine Ridge Agency, of the trust or restricted property or interests therein, owned by EDGAR PUMPKIN SEED, OSU-11081, at the time of his death. The value shown in this inventory may be an estimate and it does not necessarily represent the present market value of the property. Further investigations should be made before entering into any negotiations involving this property.

Done this 19th day of August, 1983 at Pine Ridge, South Dakota.

/s/ Frieda M. Brewer
Acting
Realty Officer

EXCERPTS FROM EXHIBIT F TO PLAINTIFFS' COMPLAINT

INVENTORY OF INDIAN TRUST LANDS OF
CHARLES LEROY PUMPKIN SEED, OSU-10179

PART I

According to the records of the Pine Ridge Indian Agency, Pine Ridge, South Dakota, CHARLES LEROY PUMPKIN SEED, OSU-10179, at the time of death on April 2, 1983, was possessed of the following trust property on the Pine Ridge Reservation.

INHERITED INTERESTS: Allotment	Description	Share & Decimal Equivalency	Est. Value	Income for Preceding Year
OS-675 Louisa Eagle Shield 81538-16	Lots 1, 2, E½NW¼, Sec. 18, T-38N., R-42W., 6th P.M., Shannon County, South Dakota, containing 176.10 acres, more or less. Estimated Vaiue: $10,566.00	1/12 or .0833333	$ 880.50	$ 26.54
THRU	Eagle Shield, OS-671, (16145-33) 1/27 Helen Eagle Shield, OS-7208, (16144-33) 1/54 John Pumpkin Seed, OS-682, (N-43-66) 1/36			
OS-7208 Helen Eagle Shield 16144-33	Lot 1, SE¼NE¼, S½SE¼, Sec. 18, & Lot 2, Sec. 23, T-43N., R-47W., 6th P.M., Jackson County, South Dakota, containing 165.90 acres, more or less. Estimated Value: $13,272.00	1/6 or .1666666	$2,212.00	$ 42.29
THRU	Helen Eagle Shield, OS-7208 (16144-33) 1/9 John Pumpkin Seed, OS-682 (N-43-66) 1/18			

OS-7207 Mary Eagle Shield 4877-74		W½ Sec. 34, T-43N., R-37W., 6th P.M., Jackson County, South Dakota, containing 320 acres, more or less. Estimated Value: $25,600.00	1/12 or .0833333	$2,133.33	$ 39.70
	THRU	Eagle Shield, OS-671 (16145-33) 1/54 Helen Eagle Shield, OS-7208 (16144-33) 1/27 John Pumpkin Seed, OS-682 (N-43-66) 1/36			
OS-670 Garter 119650-16		Lots 3, 4, NE¼SW¼, SE¼SW¼, SE¼ Sec. 30, T-38N., R-42W., 6th P.M., Shannon County, South Dakota, containing 324.24 acres, more or less. Estimated Value: $19,454.40	1/36 or .0277777	$ 540.40	$ 13.37
	THRU	John Pumpkin Seed, OS-682 (N-43-66) 1/108 Eagle Shield, OS-671 (16145-33) 1/54			
OS-673 Luke Eagle Shield 42911-14		NE¼ Sec. 18, T-38N., R-42W., 6th P.M., Shannon County, South Dakota, containing 160 acres, more or less. Estimated Value: $9,600.00	1/12 or .0833333	$ 800.00	$ 24.13
	THRU	Eagle Shield, OS-671 (16145-33) 1/18 John Pumpkin Seed, OS-682 (N-43-66) 1/36			
OS-676 Annie Eagle Shield 42910-14		Lot 3, Sec. 18, T-38N., R-42W., 6th P.M., Shannon County, South Dakota, containing 47.77 acres, more or less. Estimated Value: $2,866.20	1/6 or .1666666	$ 477.70	$ 14.48
	THRU	Helen Eagle Shield, OS-7208 (16144-33) 1/9 John Pumpkin Seed, OS-682 (N-43-66) 1/18			

Allotment		Description	Share & Decimal Equivalency	Est. Value	Income for Preceding Year
OS-672 Lucy Eagle Shield 42912-14		N½ Sec. 17, T-38N., R-42W., 6th P.M., Shannon County, South Dakota, containing 160 acres, more or less. Estimated Value: $19,200.00	1/18 or .0555555	$1,066.67	$ 32.28
	THRU	Eagle Shield, OS-671 (16145-33) 1/18			
OS-6933 Jasper Scout 16338-55		S½ Sec. 5, T-41N., R-33W., 6th P.M., Jackson County, South Dakota, containing 320 acres, more or less. Estimated Value: $25,600.00	1/96 or .0104166	$ 266.66	$ 6.75
	THRU	Winona Pumpkin Seed, OSU-10414 (N-30-68) 1/96			
OS-196 Charles Shot 1912-56		NW¼ Sec. 28, T-37N. R-43W., 6th P.M., Shannon County, South Dakota, containing 160 acres, more or less. Estimated Value: $9,600.00	1/36 or .0277777	$ 266.67	-0-
	THRU	Winona Pumpkin Seed, OSU-10414 (N-30-68) 1/36			
		ESTIMATED VALUE		$8,643.93	$199.54

PART II

Property *subject* to provisions of Public Law 97-459

INHERITED INTERESTS:

Allotment		Description	Share & Decimal Equivalency	Est. Value	Income for Preceding Year
OS-6923 Stella Scout 116630-15		NE¼ Sec. 32, T-42N., R-34W., 6th P.M., Jackson County, South Dakota, containing 160 acres, more or less. Estimated Value: $12,800.00	1/96 or .0104166	$ 133.33	$ 3.03
	THRU	Winona Pumpkin Seed, OSU-10414 (N-30-68) 1/96			
OS-678 Asa Pumpkin Seed 8247-55		SE¼ Sec. 35, T-40N., R-43W., 6th P.M., Shannon County, South Dakota, containing 160 acres, more or less Estimated Value: $9,600.00	1/64 or .0156250	$ 150.00	$ 5.15
	THRU	John Pumpkin Seed, OS-682 (N-43-66) 1/64			
OS-1263 Mary Ice 32046-15		Lots 1, 2, 3, 4, S½NE¼, S½NW¼, Sec. 1, T-39N., R-41W., 6th P.M., Shannon County, South Dakota, containing 320.52 acres, more or less. Estimated Value: $19,231.00	1/256 or .0039062	$ 75.12	$ -0-
	THRU	John Pumpkin Seed, OS-682 (N-43-66) 1/256			
OS-5749 Jennie Pumpkin Seed 82783-23		S½NE¼NE¼ Sec. 28, T-40N., R-42W., 6th P.M., Shannon County, South Dakota, containing 20 acres, more or less. Estimated Value: $1,200.00	1/64 or .0156250	$ 18.75	.76¢
	THRU	John Pumpkin Seed, OS-682 (N-43-66) 1/64			

Allotment		Description	Share & Decimal Equivalency	Est. Value	Income for Preceding Year
OS-7676 Bessie Emily Pumpkin Seed		NW¼ Sec. 14, T-40N., R-43W., 6th P.M., Shannon County, South Dakota, containing 160 acres, more or lses. Estimated Value: $9,600.00	1/64 or .0156250	$ 150.00	$ 4.50
119816-16	THRU	John Pumpkin Seed, OS-682 (N-43-66) 1/64			
OS-168 David Shot 77561-36 & 61365-35		E½ Sec. 28, T-37N., R-43W., 6th P.M. Shannon County, South Dakota, containing 320 acres, more or less. Estimated Value: $19,200.00	1/72 or .01388888	$ 266.66	$ 9.94
	THRU	Winona Pumpkin Seed, OSU-10414 (N-30-68) 1/72			
OS-1122 Jasper Scout 16338-55		S½ Sec. 15, T-37N., R-40W., 6th P.M., Bennett County, South Dakota, containing 320 acres, more or less. Estimated Value: $25,600.00	1/96 or .0104166	$ 266.66	-0-
	THRU	Winona Pumpkin Seed, OSU-10414 (N-30-68) 1/96			
OS-1123 Alice Scout 60799-15		N½ Sec. 22, T-37N., R-40W., 6th P.M., Bennett County, South Dakota, containing 320 acres, more or less. Estimated Value: $25,600.00	1/288 .0034722	$ 88.89	-0-
	THRU	Winona Pumpkin Seed, OSU-10414 (N-30-68) 1/288			

ESTIMATED VALUE	$1,149.41	$ 23.28-
TOTAL ESTIMATED VALUE OF THIS ESTATE	$9,793.34	$222.92

CERTIFICATION

I certify that the foregoing is an accurate inventory, according to the records of the Pine Ridge Agency of the trust or restricted property or interests therein, owned by CHARLES LEROY PUMPKIN SEED, OSU-10179, at the time of his death. The value shown in this inventory may be an estimate and it does not necessarily represent the present market value of the property. Further investigations should be made before entering into any negotiations involving this property.

Done this 19th day of August, 1983 at Pine Ridge, South Dakota.

/s/ Frieda M. Brewer
Acting
Realty Officer

SUPREME COURT OF THE UNITED STATES

No. 85-637

DONALD P. HODEL, SECRETARY OF THE INTERIOR, APPELLANT

v.

MARY IRVING, ET AL.

Appeal from the United States Court of Appeals for the Eighth Circuit

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The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

January 13, 1986

☆ U. S. GOVERNMENT PRINTING OFFICE: 1986 491507 20517